

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RODNEY RICARDO BROWN,

Plaintiff,

v.

JP MORGAN CHASE BANK NA,

Defendant,

v.

MARIO A. ROBERSON, WILLIAM
MICHAEL BROWN, PAMELA CREMIEUX,
and DOROTHY P. BROWN,

Third-Party Defendants.

CASE NO. C19-1377-JCC

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable John C. Coughenour, United States District Judge:

On July 19, 2021, Third-Party Defendant Dorothy Brown filed a motion to dismiss and to release the funds in the Court registry (Dkt. No. 47). Ms. Brown asks the Court to order that the interpleaded funds be released to Ms. Brown and indicates that “time is of the essence” because she needs the funds to pay her delinquent mortgage and halt the Trustee’s Sale of her home

1 scheduled for August 20, 2021. (*Id.* at 5.)

2 This District's Local Rules require a party filing a motion to identify a noting date in the
3 caption of the motion. *See* W.D. Wash. Local Civ. R. 7(b)(1). "The noting date is the date by
4 which all briefing is complete and the matter is ready for the court's consideration." *Id.* A motion
5 to dismiss must be noted for consideration on a date no earlier than the fourth Friday after filing
6 and service of the motion. *See* W.D. Wash. Local Civ. R. 7(d)(3). However, if a motion to
7 dismiss (or any other motion) is unopposed, the moving party may note the motion for
8 consideration for the same day it is filed. *See* W.D. Wash. Local Civ. R. 7(d)(1). If the moving
9 party omits a noting date or incorrectly notes a motion, the Court may renote it. *See* W.D. Wash.
10 Local Civ. R. 7(d)(1). Because Ms. Brown did not identify a noting date in the caption of her
11 motion or indicate the motion is unopposed, the Clerk noted Ms. Brown's motion for August 13,
12 2021 in accordance with Local Civil Rule 7(d)(3). This means that any nonmoving party who
13 opposes Ms. Brown's motion must file an opposition brief by Monday, August 9, 2021. *See*
14 W.D. Wash. Local Civ. R. 7(d)(3).

15 Because Ms. Brown may suffer irreparable harm if her motion is not decided as soon as
16 possible, the Court ORDERS the nonmoving parties to notify the Court if they intend to oppose
17 Ms. Brown's motion. Specifically, any nonmoving party who intends to oppose Ms. Brown's
18 motion must file a document with the Court titled "Notice of Intent to Oppose" by Monday,
19 August 2, 2021. If the Court does not receive any such notices by Monday, August 2, 2021, the
20 Court will consider the motion unopposed and ready for the Court's consideration on Tuesday,
21 August 3, 2021.

22 If Ms. Brown has conferred with the nonmoving parties and determined that the motion is
23 unopposed, Ms. Brown should renote it as a same day motion for the Court's immediate
24 consideration. *See* W.D. Wash. Local Civ. R. 7(d)(1), 7(l). The Clerk is DIRECTED to mail a
25 copy of this order to Plaintiff/Third-Party Defendant Rodney Ricardo Brown and Third-Party
26 Defendants Mario Roberson and Pamela Cremieux.

1 DATED this 26th day of July 2021.

2 Ravi Subramanian
3 Clerk of Court

4 s/Paula McNabb
5 Deputy Clerk